

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

529 Rec'd PCT/PTO 17 JUL 2000

In re Application of: Bohoch, Gregory
Serial No.: PCT/US98/25107
Docket: 12136.1USWO
Title: NON-TOXIC IMMUNE STIMULATING ENTEROTOXIN COMPOSITIONS

Filed: 01 December 1998
Due Date: 24 July 2000

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL415942837US

Date of Deposit: July 17, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By: *Linda McCormick*Name: *Linda McCormick*

Assistant Commissioner for Patents

Attn: BOX PCT

Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
☒ Return postcard
☒ Other: Refund Request Under 37 C.F.R. 1.28 (2 pgs); Nonprofit Organization (2 pgs)

Please charge any additional required fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
3100 Norwest Center, Minneapolis, MN 55402
(612) 332-5300

By: *Ronald A. Daignault*

Name: Ronald A. Daignault

Reg. No.: 25,968

Initials: RAD/IPD/KMC/mls

#17

S/N 09/555,115

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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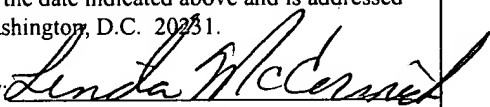
CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL415942837US

Date of Deposit: July 13, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By


Name: Linda McCormick

REFUND REQUEST UNDER 37 C.F.R. § 1.28

BOX PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

The Applicant hereby respectfully requests a refund under 37 C.F.R. § 1.26 in accordance with 37 C.F.R. § 1.28. Applicant filed the above application by Express Mail on May 24, 2000.

At the same time the full application fee of \$778.00 was paid. Applicant herewith submits an executed Verified Statement Claiming Small Entity Status as a Non-Profit Organization (Idaho

Research Foundation Assignee of Bohach, Gregory I.).

Accordingly, this Request for Refund being filed within two months after payment of the fee in the amount established for a non-small entity, Applicant respectfully requests that the correct amount of the filing fee be determined and the excess refunded.

If desired, the refund may be made via the deposit account No. 13-2725 for Merchant & Gould.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
United States of America
(612) 371-5381

Dated: 7/17/2000

By: Ronald A. Daignault
Ronald A. Daignault
Reg. No. 25,968

NONPROFIT ORGANIZATION

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9(e) AND 1.27(d)) – NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: IDAHO RESEARCH FOUNDATION
ADDRESS OF ORGANIZATION: Morrill Hall 103
University of Idaho
Moscow, Idaho 83844-3003

TYPE OF ORGANIZATION:

- CHECK ONEa) ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
b) ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3))
c) ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA -- (NAME OF STATE __)
(CITATION OF STATUTE __)
d) ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
e) ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA -- (NAME OF STATE __)
(CITATION OF STATUTE __)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in regard to the invention, entitled NON-TOXIC IMMUNE STIMULATING ENTEROTOXIN COMPOSITIONS by inventor(s) BOHACH, Gregory I. described in

- a) ☐ the specification filed herewith.
b) ☐ provisional application serial no. __, filed __.
c) ☒ non-provisional application serial no. bases on PCT/US98/25107, filed 01 December 1998.
d) ☐ patent no. __, issued __.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)INSERT CO-OWNERS, IF ANY

NAME _____
ADDRESS _____
a) ☐ INDIVIDUAL b) ☐ SMALL BUSINESS CONCERN c) ☐ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
a) ☐ INDIVIDUAL b) ☐ SMALL BUSINESS CONCERN c) ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME: RONALD J. SATTERFIELD
TITLE: DIRECTOR OF TECHNOLOGY LICENSING

ADDRESS: Morrill Hall 103
University of Idaho
Moscow, Idaho 83844-3003

SIGNATURE: _____

Ronald J. Satterfield

DATE: JUNE 16, 2000 _____